



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/686,059	10/15/2003	James Patrick Goodwin	LOT9-2003-0020-US1 (7321-	6997
46321 7590 02/23/2007 CAREY, RODRIGUEZ, GREENBERG & PAUL, LLP STEVEN M. GREENBERG 950 PENINSULA CORPORATE CIRCLE SUITE 3020 BOCA RATON, FL 33487			EXAMINER WANG, BEN C	
			ART UNIT 2192	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		02/23/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/686,059

Applicant(s)

GOODWIN ET AL.

Examiner

Ben C. Wang

Art Unit

2192

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) ☒ Notice of References Cited (PTO-892) | 4) ☐ Interview Summary (PTO-413) |
| 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) ☐ Information Disclosure Statement(s) (PTO/SB/08) | 5) ☐ Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) ☐ Other: _____ |

DETAILED ACTION

1. Claims 1-29 are pending in this application and presented for examination.

Drawing Objections

2. The drawing is objected to because the following informalities:

"S l ct Component", the label of element 200, Fig. 2, should be corrected as "Select Component".

Appropriate correction is required.

Claim Objections

3. Claims 13 is objected to because the following informalities:

"loading a template describing a customized configuration of the application", claim 13, line 2, should be corrected as "loading a template describing a customized configuration of the application₁".

Appropriate correction is required.

Claim Rejections – 35 USC § 101

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claims 17-20 are rejected under 35 U.S.C 101 because the claims are directed to non-statutory subject matter.

6. In claim 17, "a template article of manufacture" is being cited; however, it appears that it would reasonably be interpreted by one of ordinary skill in the art as non-functional descriptive material per se. Mere arrangements or compilations of facts or data, without any functional interrelationship is not a process, machine, manufacture, or composition of matter. Nonfunctional descriptive material that does not constitute a statutory process, machine, manufacture, or composition of matter, and should be rejected under 35 U.S.C. 101. (See MPEP 2106.01(II)).

7. In claim 18, "the template" is being cited; however, it appears that it would reasonably be interpreted by one of ordinary skill in the art as non-functional descriptive material per se. Mere arrangements or compilations of facts or data, without any functional interrelationship is not a process, machine, manufacture, or composition of matter. Nonfunctional descriptive material that does not constitute a statutory process, machine, manufacture, or composition of matter, and should be rejected under 35 U.S.C. 101. (See MPEP 2106.01(II)).

8. In claim 19, "the template" is being cited; however, it appears that it would reasonably be interpreted by one of ordinary skill in the art as non-functional descriptive material per se. Mere arrangements or compilations of facts or data, without any functional interrelationship is not a process, machine, manufacture, or composition of matter. Nonfunctional descriptive material that does not constitute a statutory process,

Art Unit: 2192

machine, manufacture, or composition of matter, and should be rejected under 35 U.S.C. 101. (See MPEP 2106.01(II)).

9. In claim 20, "the template" is being cited; however, it appears that it would reasonably be interpreted by one of ordinary skill in the art as non-functional descriptive material per se. Mere arrangements or compilations of facts or data, without any functional interrelationship is not a process, machine, manufacture, or composition of matter. Nonfunctional descriptive material that does not constitute a statutory process, machine, manufacture, or composition of matter, and should be rejected under 35 U.S.C. 101. (See MPEP 2106.01(II)).

Claim Rejections – 35 USC § 102(b)

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102(b) that form the basis for the rejections under this section made in this office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

11. Claims 1-2, 4-6, 17 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by J. J. Buxton (Pat. No. US 6,182,279 B1) (hereinafter 'Buxton').

12. As to claim 1, Buxton discloses a method for customizing an application (Abstract, Lines 1-5; Col. 2, Lines 18-28) comprising the steps of: identifying a selection

Art Unit: 2192

of components (Fig. 2, element 204 – a template builder; Col. 8, Lines 45-51) to be deployed to form the customized application; specifying within the selection of components, points of variability which can be assigned values when deploying the selection of components (Fig. 3B; Col. 10, Lines 27-40; Tables 1 through 8); persisting the identified selection of components (Col. 2, Lines 30-34, 56-67; Col. 3, Lines 10-17, 20-25) and the specified points of variability in a template (Fig. 3B; Col. 10, Lines 27-40; Tables 1 through 8); and, at a subsequent time, processing the template to deploy the identified selection of components (Fig. 6; Col. 16, Lines 41-43), to prompt for values to be assigned to the points of variability (Col. 30, Lines 5-10 – prompts the user for overwrite if they are), to configure the identified selection of components with the values at the points of variability (Col. 15, Line 24 through Col. 16, Line 40) thereby producing the customized application (Abstract, Lines 1-5; Col. 2, Lines 18-28).

13. **As to claim 4**, Buxton discloses a system for customizing an application (Abstract, Lines 1-5; Col. 2, Lines 18-28) comprising: a template interface (Fig. 2, element 204 – GUI & Editor; Col. 7, Lines 48-57; Col. 8, Lines 45-51; Fig. 4A; Fig. 4C; Col. 11, Lines 12-22, 25-27) prototyped both for exposing content included within components implementing the template creation interface, and also for deploying the components implementing the template (Fig. 2, element 204 – Distribution Pack Generator Module); a template creation process (Col. 12, Lines 4-7, 26-30; Fig. 6; Col. 13, Lines 23-33) coupled to the template interface, the template creation process having a configuration for writing a template persisting both references to a selection of

Art Unit: 2192

components to (Col. 2, Lines 30-34, 56-67; Col. 3, Lines 10-17, 20-25) be deployed to form the customized application and also points of variability (Fig. 3B; Col. 10, Lines 27-40; Tables 1 through 8) which can be assigned values when deploying the selection of components; and, a template deployment process (Fig. 2, element 204 – Distribution Pack Generator Module; Fig. 4A, element 406; Col. 2, Lines 30-41; Figs. 5-6; Col. 3, Lines 49-53; Col. 7, Lines 48-57; Col. 12, Lines 16-18) programmed to produce the customized application (Abstract, Lines 1-5; Col. 2, Lines 18-28) based upon a template written by the template creation process.

14. **As to claim 17**, Buxton discloses a template article of manufacture comprising: a title of a customized application (Col. 12, Lines 4-7); a listing of pre-requisite resources (Col. 10, 44-48; Col. 21, Lines 18-30; Col. 10, Line 66 through Col. 11, Line 4; Col. 10, Lines 44-48); a listing of points of variability (Fig. 3B; Col. 10, Lines 27-40; Tables 1 through 8); and, a listing of selected components (Fig. 2, element 204 – a template builder; Col. 8, Lines 45-51; Col. 12, Lines 4-7).

15. **As to claim 2**, Buxton discloses the method further comprising the steps of: determining pre-requisite resources (Col. 10, 44-48; Col. 21, Lines 18-30; Col. 10, Line 66 through Col. 11, Line 4; Col. 10, Lines 44-48) required by the customized application; and, further persisting the determined pre-requisite resources in the template (Col. 2, Lines 30-34, 56-67; Col. 3, Lines 10-17, 20-25; Col. 10, Lines 44-48).

Art Unit: 2192

16. **As to claim 5**, Buxton discloses the system wherein the template creation process (Col. 12, Lines 4-7, 26-30; Fig. 6; Col. 13, Lines 23-33) comprises a further configuration for persisting at least one reference to a pre-requisite resource (Col. 2, Lines 30-34, 56-67; Col. 3, Lines 10-17, 44-48, 20-25) required by the customized application to operate properly.

17. **As to claim 6**, Buxton discloses the system wherein the template deployment process (Fig. 2, element 204 – Distribution Pack Generator Module; Fig. 4A, element 406; Col. 2, Lines 30-41; Figs. 5-6; Col. 3, Lines 49-53; Col. 7, Lines 48-57; Col. 12, Lines 16-18) further comprises a view for prompting an end user for values for the points of variability persisted in the template (Col. 30, Lines 5-10 – prompts the user for overwrite if they are).

18. **As to claim 19**, Buxton discloses the template wherein the listing of points of variability (Fig. 3B; Col. 10, Lines 27-40; Tables 1 through 8) further comprises a specification of at least one of a default value and an acceptable value range (Col. 12, Lines 26-30).

Claim Rejections – 35 USC § 103(a)

19. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious

Art Unit: 2192

at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

20. Claims 8-13, 15-16, 20-26, and 28-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buxton in view of A. A. Faustini (Pat. No. 5,913,065) (hereinafter 'Faustini').

21. **As to claim 8**, Buxton discloses a method for producing a template describing a customized configuration of an application (Abstract, Lines 1-5; Col. 2, Lines 18-28), the method comprising the steps of: selecting a set of components (Fig. 2, element 204 – a template builder; Col. 8, Lines 45-51) to be deployed in the customized configuration; specifying within the set, points of variability (Fig. 3B; Col. 10, Lines 27-40; Tables 1 through 8) which can vary in each deployment of the customized configuration; and, writing a template both enumerating the specified points of variability (Table 7, Lines 4-5 – only values form the enumeration; Table 8, Lines 37-41 – Enumerates each of the templates in the temp file....).

But Buxton does not disclose identifying dependencies among the set of components, the identified dependencies forming a hierarchy of components to be deployed in the customized configuration and also listing the selected set of components while preserving the hierarchy within the listing in the template.

However, in an analogous art of creating hierarchical folder components with in holding other object oriented based component, Faustini discloses identifying dependencies (Col. 163, Lines 63-65) among the set of components, the identified

Art Unit: 2192

dependencies forming a hierarchy of components (Abstract, Lines 1-4; Col. 5, Lines 17-25; Col. 163, Lines 43-47) to be deployed in the customized configuration and also listing the selected set of components while preserving the hierarchy within the listing in the template.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to combine the teachings of Buxton and the teachings of Faustini to further provide a method for identifying dependencies among the set of components, the identified dependencies forming a hierarchy of components to be deployed in the customized configuration and also listing the selected set of components while preserving the hierarchy within the listing in the template in Buxton system.

The motivation is (a) to provide a hierarchical folder component that can nest other folders and components within itself to facilitate the hierarchical nesting of components or component assemblies, (b) to have the ability to be made collaborative, to interact with each other to show or indicate interdependencies, (c) to have the ability to simultaneously view and experience that interrelationship, (d) to control the flow of other folders and components to and from the base folder, and (e) to provide the user with means to utilize such a hierarchical folder component in an effective, no-intrusive manner as once suggested by Faustini (Col. 5, Lines 1-4, 17-25; Col. 163, Lines 63-65).

22. **As to claim 13**, Buxton discloses a method for customizing an application (Abstract, Lines 1-5; Col. 2, Lines 18-28), the method comprising the steps of: loading a

Art Unit: 2192

template (Fig. 7; Figs. 8A-8B; Fig. 9; Col. 2, Lines 38-41; Col. 3, Lines 54-62) describing a customized configuration of the application; further locating within the template (Col. 8, Lines 6-11; Col. 14, Lines 43-48; Col. 18, Lines 51-53), a listing of points of variability (Fig. 3B; Col. 10, Lines 27-40; Tables 1 through 8) which can vary in each deployment of the customized configuration; deploying the set of components (Fig. 6; Col. 16, Lines 41-43); prompting an end user for values for the points of variability (Col. 30, Lines 5-10 – prompts the user for overwrite if they are) and applying the values to the points of variability (Col. 15, Line 24 through Col. 16, Line 40); and, returning control of the customized configuration to the end user (Col. 8, Lines 6-11).

But Buxton does not disclose locating within the template a set of components arranged in a hierarchy of dependent components which are to be deployed in a customized configuration.

However, in an analogous art of creating hierarchical folder components with in holding other object oriented based component, Faustini discloses locating within the template a set of components arranged in a hierarchy of dependent components (Col. 163, Lines 63-65) which are to be deployed in a customized configuration.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to combine the teachings of Buxton and the teachings of Faustini to further provide the method for locating within the template a set of components arranged in a hierarchy of dependent components which are to be deployed in a customized configuration in Buxton system.

The motivation is (a) to provide a hierarchical folder component that can nest other folders and components within itself to facilitate the hierarchical nesting of components or component assemblies, (b) to have the ability to be made collaborative, to interact with each other to show or indicate interdependencies, (c) to have the ability to simultaneously view and experience that interrelationship, (d) to control the flow of other folders and components to and from the base folder, and (e) to provide the user with means to utilize such a hierarchical folder component in an effective, no-intrusive manner as once suggested by Faustini (Col. 5, Lines 1-4, 17-25; Col. 163, Lines 63-65).

23. **As to claim 21**, Buxton discloses a machine readable storage having stored thereon a computer program for producing a template describing a customized configuration of an application, the computer program comprising a routine set of instructions for causing the machine to perform the steps of: selecting a set of components (Fig. 2, element 204 – a template builder; Col. 8, Lines 45-51) to be deployed in the customized configuration; specifying within the set, points of variability (Fig. 3B; Col. 10, Lines 27-40; Tables 1 through 8) which can vary in each deployment of the customized configuration; and, writing a template both enumerating the specified points of variability (Table 7, Lines 4-5 – only values form the enumeration; Table 8, Lines 37-41 – Enumerates each of the templates in the temp file....).

But Buxton does not disclose identifying dependencies among the set of components, the identified dependencies forming a hierarchy of components to be

Art Unit: 2192

deployed in the customized configuration; listing the selected set of components while preserving the hierarchy within the listing in the template.

However, in an analogous art of creating hierarchical folder components with in holding other object oriented based component, Faustini discloses identifying dependencies among the set of components (Col. 163, Lines 63-65), the identified dependencies forming a hierarchy of components (Abstract, Lines 1-4; Col. 5, Lines 17-25; Col. 163, Lines 43-47) to be deployed in the customized configuration; listing the selected set of components while preserving the hierarchy (Col. 163, Lines 63-65) within the listing in the template.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to combine the teachings of Buxton and the teachings of Faustini to further provide the method for identifying dependencies among the set of components, the identified dependencies forming a hierarchy of components to be deployed in the customized configuration; listing the selected set of components while preserving the hierarchy within the listing in the template in Buxton system.

The motivation is (a) to provide a hierarchical folder component that can nest other folders and components within itself to facilitate the hierarchical nesting of components or component assemblies, (b) to have the ability to be made collaborative, to interact with each other to show or indicate interdependencies, (c) to have the ability to simultaneously view and experience that interrelationship, (d) to control the flow of other folders and components to and from the base folder, and (e) to provide the user

Art Unit: 2192

with means to utilize such a hierarchical folder component in an effective, no-intrusive manner as once suggested by Faustini (Col. 5, Lines 1-4, 17-25; Col. 163, Lines 63-65).

24. **As to claim 26**, Buxton discloses a machine readable storage having stored thereon a computer program for customizing an application, the computer program comprising a routine set of instructions for causing the machine to perform the steps of: loading a template (Fig. 7; Figs. 8A-8B; Fig. 9; Col. 2, Lines 38-41; Col. 3, Lines 54-62); further locating within the template (Col. 8, Lines 6-11; Col. 14, Lines 43-48; Col. 18, Lines 51-53), a listing of points of variability (Fig. 3B; Col. 10, Lines 27-40; Tables 1 through 8) which can vary in each deployment of the customized configuration; deploying the set of components; prompting an end user for values for the points of variability (Col. 30, Lines 5-10 – prompts the user for overwrite if they are) and applying the values to the points of variability (Col. 15, Line 24 through Col. 16, Line 40); and, returning control of the customized configuration to the end user (Col. 8, Lines 6-11).

But Buxton does not disclose describing a customized configuration of the application locating within the template a set of components arranged in a hierarchy of dependent components which are to be deployed in a customized configuration.

However, in an analogous art of creating hierarchical folder components with in holding other object oriented based component, Faustini discloses describing a customized configuration of the application locating within the template a set of components arranged in a hierarchy (Abstract, Lines 1-4; Col. 5, Lines 17-25; Col. 163,

Art Unit: 2192

Lines 43-47) of dependent components (Col. 163, Lines 63-65) which are to be deployed in a customized configuration.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to combine the teachings of Buxton and the teachings of Faustini to further describing a customized configuration of the application locating within the template a set of components arranged in a hierarchy of dependent components which are to be deployed in a customized configuration in Buxton system.

The motivation is (a) to provide a hierarchical folder component that can nest other folders and components within itself to facilitate the hierarchical nesting of components or component assemblies, (b) to have the ability to be made collaborative, to interact with each other to show or indicate interdependencies, (c) to have the ability to simultaneously view and experience that interrelationship, (d) to control the flow of other folders and components to and from the base folder, and (e) to provide the user with means to utilize such a hierarchical folder component in an effective, no-intrusive manner as once suggested by Faustini (Col. 5, Lines 1-4, 17-25; Col. 163, Lines 63-65).

25. **As to claims 9 and 22**, Buxton does not disclose the method wherein the identifying step comprises the steps of: descending the set of components in a top-down manner; and, arranging the set of components in a hierarchy of dependencies during the descent.

However, in an analogous art of creating hierarchical folder components with in holding other object oriented based component, Faustini discloses descending the set

Art Unit: 2192

of components in a top-down manner; and, arranging the set of components in a hierarchy of dependencies (Abstract, Lines 1-4; Col. 5, Lines 17-25; Col. 163, Lines 43-47; Col. 163, Lines 63-65) during the descent.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to combine the teachings of Buxton and the teachings of Faustini to further provide the method for descending the set of components in a top-down manner; and, arranging the set of components in a hierarchy of dependencies during the descent in Buxton system.

The motivation is (a) to provide a hierarchical folder component that can nest other folders and components within itself to facilitate the hierarchical nesting of components or component assemblies, (b) to have the ability to be made collaborative, to interact with each other to show or indicate interdependencies, (c) to have the ability to simultaneously view and experience that interrelationship, (d) to control the flow of other folders and components to and from the base folder, and (e) to provide the user with means to utilize such a hierarchical folder component in an effective, no-intrusive manner as once suggested by Faustini (Col. 5, Lines 1-4, 17-25; Col. 163, Lines 63-65).

26. **As to claims 10 and 23**, Buxton discloses the method wherein the writing step further comprises the step of writing within the template at least one reference to a pre-requisite resource (Col. 10, 44-48; Col. 21, Lines 18-30; Col. 10, Line 66 through Col. 11, Line 4; Col. 10, 44-48).

Art Unit: 2192

27. **As to claims 11 and 24**, Buxton discloses the method wherein the listing step comprises the steps of: accessing a template interface implemented by the set of components to permit access to content encapsulated by the set of components (Figs. 3A-3B; Col. 9, Lines 8-13, 18-20, 45-67; Col. 10, Lines 1-4; Fig. 8B; Col. 21, Lines 30-43); and, where a component within the set of components has not implemented the template interface, accessing the encapsulated content through a proxy to the component within the set of components (Col. 9, Lines 49-63).

28. **As to claims 12 and 25**, Buxton does not disclose the method wherein the preserving step comprises the step of nesting component references in the listing in the template according to relative positions in the hierarchy of the set of components.

However, in an analogous art of creating hierarchical folder components with in holding other object oriented based component, Faustini discloses the method wherein the preserving step comprises the step of nesting component references (Col. 169, Lines 51-55) in the listing in the template according to relative positions in the hierarchy of the set of components (Abstract, Lines 1-4; Col. 5, Lines 17-25; Col. 163, Lines 43-47).

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to combine the teachings of Buxton and the teachings of Faustini to further provide the method wherein the preserving step comprises the step of nesting component references in the listing in the template according to relative positions in the hierarchy of the set of components.

The motivation is (a) to provide a hierarchical folder component that can nest other folders and components within itself to facilitate the hierarchical nesting of components or component assemblies, (b) to have the ability to be made collaborative, to interact with each other to show or indicate interdependencies, (c) to have the ability to simultaneously view and experience that interrelationship, (d) to control the flow of other folders and components to and from the base folder, and (e) to provide the user with means to utilize such a hierarchical folder component in an effective, no-intrusive manner as once suggested by Faustini (Col. 5, Lines 1-4, 17-25; Col. 163, Lines 63-65).

29. **As to claims 15 and 28**, Buxton discloses the method further comprising the steps of: identifying within the template at least one reference to a pre-requisite resource (Col. 10, 44-48; Col. 21, Lines 18-30; Col. 10, Line 66 through Col. 11, Line 4; Col. 10, Lines 44-48); deploying each pre-requisite resource identified (i.e., Table 5, Line 20 – *m_MessageDigest*) within the template.

30. **As to claims 16 and 29**, Buxton discloses the method wherein the deploying step comprises the steps of: accessing a template interface implemented by the set of components to permit access to content encapsulated by the set of components (Figs. 3A-3B; Col. 9, Lines 8-13, 18-20, 45-67; Col. 10, Lines 1-4; Fig. 8B; Col. 21, Lines 30-43); and, where a component within the set of components has not implemented the template interface, accessing the encapsulated content through a proxy (Col. 9, Lines 49-63) to the component within the set of components.

31. **As to claim 20**, Buxton does not disclose the template wherein the listing of selected components comprises a nesting of the selected components arranged in a hierarchy of dependencies.

However, in an analogous art of creating hierarchical folder components with in holding other object oriented based component, Faustini discloses the template wherein the listing of selected components comprises a nesting of the selected components (Col. 169, Lines 51-55) arranged in a hierarchy of dependencies.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to combine the teachings of Buxton and the teachings of Faustini to further provide the template wherein the listing of selected components comprises a nesting of the selected components arranged in a hierarchy of dependencies in Buxton system.

The motivation is (a) to provide a hierarchical folder component that can nest other folders and components within itself to facilitate the hierarchical nesting of components or component assemblies, (b) to have the ability to be made collaborative, to interact with each other to show or indicate interdependencies, (c) to have the ability to simultaneously view and experience that interrelationship, (d) to control the flow of other folders and components to and from the base folder, and (e) to provide the user with means to utilize such a hierarchical folder component in an effective, no-intrusive manner as once suggested by Faustini (Col. 5, Lines 1-4, 17-25; Col. 163, Lines 63-65).

Claim Rejections – 35 USC § 103(a)

32. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

33. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Buxton in view of Bunker et al. (Pub. No. US 2005/0240902A1) (hereinafter 'Bunker').

34. **As to claim 18**, Buxton does not disclose the template wherein each of the title and listings are formatted within markup language tags which can be processed according to a document type definition expressing meaning for the markup language tags.

However, in an analogous art, Bunker discloses the template wherein each of the title and listings are formatted within markup language tags (Fig. 1, element 100; Table 1; [0026]) which can be processed according to a document type definition expressing meaning for the markup language tags ([0081], Lines 3-7).

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to combine the teachings of Buxton and the teachings of Bunker to further provide the template wherein each of the title and listings are formatted within markup language tags which can be processed according to a

Art Unit: 2192

document type definition expressing meaning for the markup language tags in Buxton system.

The motivation is (a) a generic interactive application can be dynamically configured and functionally extended by defining it in terms of interchangeable building blocks, (b) an extension can include an XML descriptor, (c) a project template can use a custom template processor class as once suggested by Faustini (i.e., [0019]; [0020]; [0081]).

Claim Rejections – 35 USC § 103(a)

35. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

36. Claims 3 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buxton in view of A. Penders (Pat. No. US 6,892,228 B1) (hereinafter 'Penders').

37. **As to claim 3**, Buxton does not disclose the method wherein the identifying step comprises the step of identifying a selection of portlets disposed within a portal environment to form the customized application.

However, in an analogous art of system and method for on-line service creation, Penders discloses the method wherein the identifying step comprises the step of

Art Unit: 2192

identifying a selection of portlets disposed within a portal environment (Col. 12, Lines 9-10) to form the customized application (Col. 1, Lines 47-64).

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to combine the teachings of Buxton and the teachings of Penders to further provide the method wherein the identifying step comprises the step of identifying a selection of portlets disposed within a portal environment to form the customized application in Buxton system.

The motivation is (a) to provide an on-line platform for providing services to devices and to a platform which allows a user of a service for a device to create, active, and execute the services, (b) to further receive configuration information to configure pre-defined building blocks as once suggested by Penders (i.e., Summary of the Invention).

38. **As to claim 7**, Buxton does not disclose the system wherein the selection of components comprise portlet components disposed within a portal environment.

However, in an analogous art of system and method for on-line service creation, Penders discloses the system wherein the selection of components (Col. 5, Lines 9-26, 49-53) comprise portlet components disposed within a portal environment (Col. 1, Lines 47-64).

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to combine the teachings of Buxton and the teachings of

Art Unit: 2192

Penders to further provide the system wherein the selection of components comprise portlet components disposed within a portal environment in Buxton system.

The motivation is (a) to provide an on-line platform for providing services to devices and to a platform which allows a user of a service for a device to create, active, and execute the services, (b) to further receive configuration information to configure pre-defined building blocks as once suggested by Penders (i.e., Summary of the Invention).

39. Claims 14 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buxton in view of Faustini and in further view of Pulsipher et al., (Pub. No. US 2003/0120708 A1) (hereinafter 'Pulsipher').

40. **As to claims 14 and 27**, Buxton does not disclose the method wherein the locating step comprises the steps of: descending the hierarchy recursively; and, deploying each of component in the hierarchy beginning with components in the set which are not dependent upon any other component in the hierarchy, and continuing through to at least one root component which is dependent upon all other components disposed below the at least one root component in the hierarchy.

However, in an analogous art of creating hierarchical folder components with in holding other object oriented based component, Faustini discloses the method wherein the locating step comprises the steps of: descending the hierarchy recursively (Col. 169, Lines 51-55).

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to combine the teachings of Buxton and the teachings of Faustini to further provide the method wherein the locating step comprises the steps of: descending the hierarchy recursively in Buxton system.

The motivation is (a) to provide a hierarchical folder component that can nest other folders and components within itself to facilitate the hierarchical nesting of components or component assemblies, (b) to have the ability to be made collaborative, to interact with each other to show or indicate interdependencies, (c) to have the ability to simultaneously view and experience that interrelationship, (d) to control the flow of other folders and components to and from the base folder, and (e) to provide the user with means to utilize such a hierarchical folder component in an effective, no-intrusive manner as once suggested by Faustini (Col. 5, Lines 1-4, 17-25; Col. 163, Lines 63-65).

Further, Buxton and Faustini do not disclose deploying each of component in the hierarchy beginning with components in the set which are not dependent upon any other component in the hierarchy, and continuing through to at least one root component which is dependent upon all other components disposed below the at least one root component in the hierarchy.

However, in an analogous art of mechanism for managing parallel execution of process in a distributed computing environment, Pulsipher discloses deploying each of component in the hierarchy beginning with components in the set which are not dependent upon any other component in the hierarchy, and continuing through to at

Art Unit: 2192

least one root component which is dependent upon all other components disposed below the at least one root component in the hierarchy (Fig. 3; [0086]).

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to combine the teachings of Buxton and Faustini with the teachings of Pulsipher to deploy each of component in the hierarchy beginning with components in the set which are not dependent upon any other component in the hierarchy, and continuing through to at least one root component which is dependent upon all other components disposed below the at least one root component in the hierarchy in Buxton-Faustini system.

The motivation is (a) grouping jobs and tasks improves the overall performance of distributed resources, (b) arranging job hierarchically provides the ability to define complex, multi-level procedures, (c) dependencies between jobs can be defined as once suggested by Pulsipher (i.e., [0042]; [0043]; [0070]).

Conclusion

41. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Marshall et al., *System and Method for Providing Flexible Network Service Application Components* (Pub. No. US 2002/0087945 A1).
- Crupi et al., *Method and Apparatus for Developing Enterprise Applications Using Design Patterns* (Pat. No. US 6,993,743 B2).
- Jazdzewski et al., *Frame Component Container* (Pat. No. US 6,968,536 B2).

Art Unit: 2192

42. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ben C. Wang whose telephone number is 571-270-1240. The examiner can normally be reached on Monday - Friday, 8:00 a.m. - 5:00 p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam can be reached on 571-272-3695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BCW



TUAN DAM
SUPERVISORY PATENT EXAMINER

February 5, 2007